STATE OF INDIANA )	IN KOSCIUSI	KO COUNTY CIRCUIT COURT
COUNTY OF KOSCIUSKO)		43C01-0802-PL-000054
STATE OF INDIANA,	)	
Plaintiff,	ý	
v.	)	JAN 2 1 2009
QUALITY AUTOMOTIVE ST doing business as Quality Auto and JONATHAN N. DILLEY,	,	CLERK KOSCIUSKO CIRCUIT COURT
Defendants.	)	

## **DEFAULT JUDGMENT**

The Plaintiff, State of Indiana, having filed its Motion for Default Judgment and the Court having read the same and being duly advised in the premises, now finds:

- The Court has subject matter jurisdiction and personal jurisdiction over the
  Defendants.
- 2. The Defendants were served with notice of these proceedings and a copy of the Plaintiff's Complaint for Injunction, Restitution, Costs, and Civil Penalties.
- 3. More than twenty (20) days have passed since the Defendants were served.
  - 4. The Defendants failed to plead or otherwise respond to the Complaint.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED the Motion for Default Judgment is GRANTED in favor of the Plaintiff, State of Indiana, and against the Defendants.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to Ind. Code § 24-5-0.5-4(c)(1), the Defendants, their agents, representatives, employees, successors, and assigns are permanently enjoined from engaging in the following:

- a) Misrepresenting the characteristics, uses or benefits of consumer transactions in violation of Ind. Code § 24-5-0.5-3(a)(1); and
- b) Misrepresenting its ability to complete the subject of a consumer transaction within a stated or reasonable period of time in violation of Ind. Code § 24-5-0.5-3(a)(10).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judgment is entered for the Plaintiff, State of Indiana, and against the Defendants, as follows:

a) Consumer restitution pursuant to Ind. Code § 24-5-0.5-4(c)(2), in the form of a Court Order directing the Indiana Bureau of Motor Vehicles to issue titles for the following consumers:

Talal A. Alsarra 2003 Infiniti G35
 JNKCV51E63M328668

Elizabeth Carpenter 2003 Dodge Stratus
 4B3AG52H72E023944

Leslie Hartman 2005 Dodge Magnum
 2D4FV48TX5HS67162

4. John Kohler 2004 Chevrolet Malibu 1G1ZT54804F128228

5. Paul Romito 2004 Chevrolet Coupe 1G1JF14F347332429

6. Angela Rucker 2005 Ford Five Hundred 3GNEC12T84G256146

 Donald E. Wallen & 2002 Chevrolet Tracker Ronnie Neal

2CNBJ734926953597

Maxine Whitaker 2002 Dodge Ram 1500
 1D7HU18N62S607031

- b) Consumer restitution pursuant to Ind. Code § 24-5-0.5-4(c)(2) in the amount of Six Thousand Nine Hundred Dollars (\$6,900.00), payable to the Office of the Attorney General for the benefit of Angela Rucker;
- c) Costs pursuant to Ind. Code § 24-5-0.5-4(c)(3), awarding the Office of the Attorney General Two Hundred Dollars (\$200.00);
- d) Civil Penalties pursuant to Ind. Code § 24-5-0.5-8 on Count II of the Plaintiff's complaint, for the Defendant's intentional violations of Ind. Code § 24-5-0.5-3(a)(1) and (10) in the total amount of Four Thousand Five Hundred Dollars (\$4,500.00), payable to the State of Indiana; and
- e) Civil penalties pursuant to Ind. Code § 24-5-0.5-4(g) on Count II of the Plaintiff's complaint, for the Defendant's knowing violations of Ind. Code § 24-5-0.5-3(a)(1) and (10), in the total amount of Forty-Five Thousand Dollars (\$45,000.00), payable to the State of Indiana.

A total monetary judgment in the amount of Fifty-Six Thousand Six Hundred Dollars (\$56,600.00) shall therefore be entered in favor of the Plaintiff, State of Indiana, and against the Defendants.

ALL ORDERED, ADJUDGED AND DECREED on this \_\_\_\_\_ day of

Judge, Kosciusko Circuit Court

## Distribution:

Greg A. Schrage Office of the Indiana Attorney General 302 W. Washington Street Indianapolis, IN 46204

inuan; 2008.

Jonathan Dilley 5520 Senna Drive Fort Wayne IN 46804

Quality Automotive Store, Inc. C/o Jonathan Dilley 5520 Senna Drive Fort Wayne, IN 46804

Allen County Sheriff's Department Jonathan Dilley, Inmate Allen County Jail 715 South Calhoun Street Room 101 Courthouse Fort Wayne, Indiana 46802-1898

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